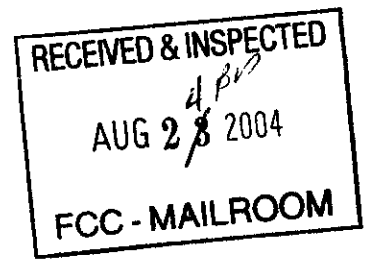


August 5, 2004



Ms. Marlene Dortch
Office of the Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, MD 20743

DOCKET FILE COPY ORIGINAL

Re: Petition for Rule Making
Cedarville, California

Dear Ms. Dortch,

Enclosed is an original and four (4) copies of a Petition for Rule Making to amend the FM Table of Allotments to add Channel 260A at Cedarville, California.

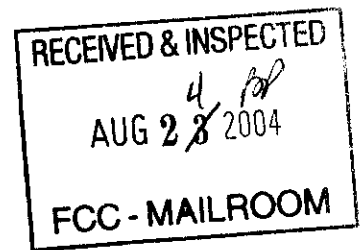
Respectfully Submitted,

A handwritten signature in black ink that reads "JEFF COTTON".

Jeff Cotton
Rt. 60-5b
Lake City, CA 96115
530-279-6262

No. of Copies rec'd 074
List ABCDE
MB 04-153

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554



In the Matter of)
)
Amendment of Section 73.202(b),) RM- _____
Table of Allotments,)
FM Broadcast Stations)
(Cedarville, California))

To: Chief, Allocations Branch
Audio Division
Media Bureau

PETITION FOR RULE MAKING

1. Jeffrey Cotton hereby petitions the Commission to amend the FM Table of Allotments to add Channel 260A at Cedarville, California, as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Cedarville, CA	- -	260A

2. As demonstrated by the attached Engineering Statement, Channel 260A can be assigned for use at Cedarville at reference coordinates located at the center of the community.

3. Although Cedarville is not incorporated and is not listed separately in the 2000 Census, it is nevertheless a viable community for licensing purposes. The community has a permanent population of about 850 persons, and serves as an economic and social hub for the entire Surprise Valley.

4. Originally called Deep Creek, Cedarville was a camping place for wagon trains settled about 1864. William Cressler and John Bonner were running a trading post by 1867; this historical building stands today in Cedarville Park. These men were instrumental in developing Cedarville. Cressler and Bonner built the first road over Cedar Pass, which connects Surprise Valley to Alturas and the rest of Modoc County. By 1880 Cedarville's population was 220, making it the largest town in the valley. Historic buildings still line Main Street, housing many of the community's businesses.

5. Cedarville lies roughly in the center of Surprise Valley, a geographically distinct valley which runs north-south along the eastern edge of the Warner Mountain Range/Modoc National Forest, in the northeast corner of California. Surprise Valley is approximately 11 miles wide and 60 miles long with four small and distinct towns: Cedarville, Eagleville (population 150), Lake City

(population 68), and Fort Bidwell (population 150). None of these communities is incorporated, and none of them appear in the Census.

6. There are currently no local media outlets in the Surprise Valley; no radio stations, television stations, or newspapers. The nearest media outlets are in Alturas, California (22 miles away) and Lakeview, Oregon (63 miles away).

7. The Greater Surprise Valley Chamber of Commerce is located in Cedarville. As the largest of the communities in the valley, Cedarville is the natural hub of social and economic activity, including two grocery stores, three restaurants, a gas station, and several other small businesses. Among the businesses with Cedarville addresses are: Country Hearth Café, JK Metzler Bed and Breakfast, Sunrise Motel and RV Park, Cedarville Café & Saloon, California Saddle Shop, Cedarville Wood Products, High Desert Sage Miniatures, Huckleberry Does Hay, Northern California Traveler, Page's Market, Barry Schmidt DDS, Small's General Machine, Surprise Valley NAPA Auto Parts, Western Irrigation and Farm Supply, and Cedarville Motel.

8. Businesses using "Cedarville" in their names include Cedarville Café & Saloon, Cedarville Wood Products, Cedarville Motel, and Cedarville Chevron.

9. Cedarville does not have its own police force, but receives county sheriff service from the Modoc County seat of Alturas. Like each of the communities in the Surprise Valley, the residents of Cedarville maintain a volunteer fire department.

10. Cedarville has its own United States Post Office, at 480 Main Street. Cedarville has its own ZIP Code (96104). The adjacent communities of Eagleville, Lake City, and Fort Bidwell have their own separate post offices and ZIP Codes.

11. Surprise Valley High School and Surprise Valley Elementary School (K-8) are located in Cedarville, and are operated by the Surprise Valley Joint Unified School District, providing service to the entire Surprise Valley.

12. The Surprise Valley Rotary Club meets every Wednesday at the Community Hall in Cedarville. The Rotary Club sponsors several fundraisers throughout the year, including a raffle to benefit the Surprise Valley High School Scholarship fund, a Fly-In Breakfast fundraiser at the Cedarville Airport to raise money for community service projects, a Spring BBQ held to raise money to send Surprise Valley High School FFA students to the National Land Judging Contest in Oklahoma, and a Destruction Derby fundraiser for community projects.

13. Cedarville Airport, located about 2 miles north of central Cedarville, is the location of the Rotary Club's annual Fly-In Breakfast fundraiser. The airport has an average of 90 aircraft operations per week.

14. Cedarville is not located adjacent to any urbanized or metropolitan area. The nearest

incorporated community is Alturas, a 22 mile drive from Cedarville across Cedar Pass in the Warner Mountains. The population of Alturas is only 2,892. The only other "nearby" incorporated community is the town of Lakeview, Oregon (population 2,474), which is a 63 mile drive from Cedarville.

15. The Modoc County Fairgrounds are located in Cedarville, annually hosting several events such as: the Modoc District Fair (August 19-22, 2004), the Cedarville Fire Department crab feed (January 2005), the Surprise Valley Chamber of Commerce Annual Squirrel Round-up (March 19, 2005), the Modoc "Super Bull" bull riding competition (June 25, 2005), the Modoc District Fair Queen Contest (July 9, 2005), and the Surprise Valley Chamber Christmas Fair (November 27, 2004).

16. The Commission has previously approved the allotment of FM channels to small, unincorporated communities, which nevertheless have proven their viability as communities for allotment purposes. See Cal-Nev-Ari, Boulder City, and Las Vegas, Nevada, MM Docket No. 93-279, 14 FCC Rcd 17153 (1999) in which the Commission approved an allotment at an unincorporated community of some 300 persons.

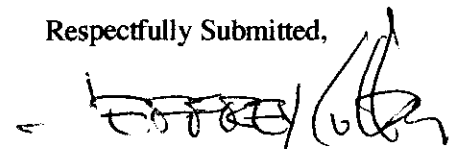
17. The allotment of an FM channel to Cedarville will also provide an important source of community and emergency information for all the residents of the Surprise Valley, as well as for vacationers, in this geologically-active region of northern California. With the Warner Mountains to the west, and the Hays Canyon Range to the east, other radio signals are generally blocked from penetrating the Surprise Valley.

18. In sum, Cedarville is a separate, licensable community of sufficient size and development to warrant its own radio station, and such action would serve the public interest.

19. Should this petition be granted and Channel 260A be allotted at Cedarville, Petitioner will file an application for Channel 260A. If that application is granted, Petitioner will promptly construct the new facility.

20. The factual information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully Submitted,



Jeffrey Cotton

Rt. 60-5b

Lake City, CA 96115

530-279-6262

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ENGINEERING STATEMENT

**PETITION FOR RULEMAKING TO
AMEND SECTION 73.202 OF THE RULES
AND REGULATIONS FOR THE FEDERAL
COMMUNICATIONS COMMISSION**

**TO ASSIGN FM CHANNEL 260A
FOR USE AT CEDARVILLE, CALIFORNIA**

JEFFREY COTTON

AUGUST 2004

Engineering Statement

This Engineering Statement has been prepared on behalf of Jeffrey Cotton in support of a Petition for Rulemaking to amend §73.202 of the Commission's Rules to allot Channel 260A at Cedarville, California.

As a result of the proposed reallocation plan, Cedarville (a community with a population of 850) will receive its first local service. A total of 1,571 persons will receive an additional aural service.

Channel 260A at Cedarville

As outlined in the attached channel study, Channel 260A can be assigned for use at Cedarville in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. Reference coordinates for Cedarville are NL 41° 31' 45" x WL 120° 10' 20".

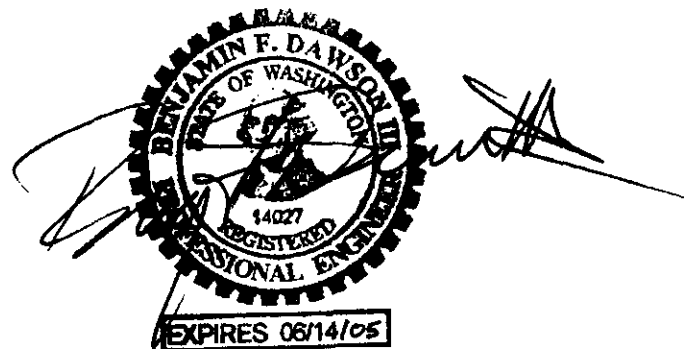
The proposed allotment will provide the first local service to Cedarville, and will provide service to a population of 1,571 persons within the 60 dBu contour.

Hatfield & Dawson Consulting Engineers

Statement of Engineer

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Cedarville, California, has been prepared by Erik C. Swanson under my direct supervision. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 3rd day of August, 2004.



Benjamin F. Dawson III, P.E.

Hatfield & Dawson Consulting Engineers

=====

SEARCH PARAMETERS FM Database Date: 040728

Channel: 260A 99.9 MHz Page 1

Latitude: 41 31 45

Longitude: 120 10 20

Safety Zone: 32 km

Job Title: CEDARVILLE 260A

Call	City	Channel	ERP(kW)	Latitude	Bearing	Dist	Req
Status	St	FCC File No.	Freq. HAAT(m)	Longitude	deg-True	(km)	(km)
K207CR	CEDARVILLE	207D	0.075	41-38-13	29.3	13.75	0
LIC	CA	BLFT-981123TA	89.3	120-05-28		0.00	TRANS
K260AK	KLAMATH FALLS	260D	0.010	42-05-50	298.1	136.46	0
LIC	OR	BLFT-030331ADK	99.9	121-37-42		0.00	TRANS

===== END OF FM SPACING STUDY FOR CHANNEL 260 =====

